

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

In re: Dawn Marie Kandris) Case No: 14-35760
Stephen Christopher Kandris) Chapter 13

AMENDED OBJECTION TO CONFIRMATION

COMES NOW, Susan H. Call, Counsel for Carl M. Bates the Chapter 13 Trustee, and moves this Court to deny confirmation of the Chapter 13 Plan filed on November 2, 2015, for the cause as follows:

1. The Debtors filed this Chapter 13 Petition on October 27, 2014 under 11 U.S.C. Chapter 13, now pending in the United States Bankruptcy Court, Eastern District of Virginia, Richmond Division.
2. This Objection is filed pursuant to 11 U.S.C. 1325.
3. The above filed Chapter 13 Plan fails to pay all the disposable income into the Chapter 13 plan shown by:
4. This proposed plan, fails to meet good faith requirements and to pay all income into the chapter 13 plan.
5. The debtors are above median, so must remain in a 60 month plan.
6. There are 49 months remaining of the required 60 months.
7. The debtors are currently paying unsecured claimholders \$14,251.20 out of the total unsecured claims filed in the amount of \$122,223.04.
8. Based upon the Schedule I filed by the debtors, their monthly income is net \$6,089.00 month Schedule I filed with this modified plan, and the Schedule J lists monthly expense as \$5,305.00. However, a modified plan was filed on August 25, 2015 that disclosed income was \$6,380.00, and expenses were \$4,594.00, now just two months later the expenses have increased and the income has decreased. The trustee requests proof and an explanation as to why these changes occurred.
9. The previously modified plan was objected to because the I and J filed with it had \$1,786.00 left over on I and J, yet the debtor proposes a plan payment of \$516.04 for 12 months, then \$10.00 monthly for 2 months, and \$855.00 monthly for 46 months. The debtors have filed this plan in bad faith.

WHEREFORE, for the reasons stated herein, the Chapter 13 Trustee, by Counsel, Susan H. Call, respectfully moves the Court to deny confirmation of the Debtors' proposed Chapter 13 Plan as filed with the Court, and for such further and other relief as in the premises may seem just.

Date: February 25, 2016

/s/Susan H. Call
Susan H. Call, Counsel for
Carl M. Bates
Chapter 13 Trustee

Certificate of Service

I hereby certify that on February 25, 2016, I have mailed or hand-delivered a true copy of the foregoing Objection to Confirmation to the debtor(s), Dawn Marie and Stephen Christopher Kandris, 11607 Waterview Dr., Apt. 302, Chester, VA 23831 and electronically sent to debtor's attorney, Richard James Oulton, Esquire, 2debtlawgroup@gmail.com.

/s/Susan H. Call
Susan H. Call, Counsel for
Carl M. Bates
Chapter 13 Trustee